

City of Detroit

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PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

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Ms. Cindy Golden
Assistant City Council Committee Clerk

THURSDAY, JANUARY 10, 2019

10:00 A.M.

A. ROLL CALL _

B. APPROVAL OF MINUTES

C. PUBLIC COMMENT

D. 10:15 AM – PUBLIC HEARING – RE: Petition of Deliverance Center Outreach Ministries (#341), request that the intersection of West Grand Blvd and Porter Avenue be assigned the secondary street name “Bishop Gregg A. Booker.” **(City Planning Commission/Legislative Policy Division; Historic Designation Advisory Board; Law Department; Planning & Development Department; Department of Public Works; Public Lighting Department; and Petitioner)**

E. 10:25 A.M. – CONTINUED PUBLIC HEARING – RE: Proposed Zoning Ordinance Text Amendment to allow Business Colleges and Commercial Trade Schools by-right in R5 (Medium Density Residential) Zoning Classification. **(Board of Zoning Appeals; City Council Legislative Policy Division; Buildings, Safety Engineering and Environmental, Law, and Planning and Development Departments)**

F. 10:35 A.M. – CONTINUED PUBLIC HEARING – RE: Proposed ordinance to amend Article XVII, District Map 56, of the 1984 Detroit City Code Chapter 61, “Zoning” by showing an R5 (Medium Density Residential) zoning classification where R3 (Low Density Residential) and R2 (Two-Family Residential) zoning classifications currently exist on five (5) parcels commonly identified as 7501 Webb Street, 7600 Burlingame

Street, 10530 Bryden Street, and 10461 and 10455 American Street. **(Board of Zoning Appeals; City Council Legislative Policy Division; Buildings, Safety Engineering and Environmental, Law, and Planning and Development Departments)**

G.10:45 A.M. – CONTINUED PUBLIC HEARING – RE: Request to Approve a Commercial Rehabilitation Certificate on behalf of Dev Detroit 1346 Gratiot, LLC (**#812**), located at the intersection of Gratiot Avenue and Russell Street in Detroit, Michigan, in accordance with Public Act 210 of 2005. **(Taxing Units, Petitioner, Finance Department-Assessment Division, Planning & Development, Housing & Revitalization and Law Departments, City Council’s Legislative Policy Division and Detroit Economic Growth Corporation)**

UNFINISHED BUSINESS

1. Status of **Law Department** submitting Responses relative to Recourse for Non-Compliance with Planned Development (PD) Standards. (This memorandum is provided in response to your July 3, 2018 memorandum, in which you requested an analysis of the recourse available to the City of Detroit in circumstances of non-compliance with the terms, conditions, site plans, use regulations and development specifications (collectively, “Standards”) associated with a planned development zoning district (“PD District”). **(BROUGHT BACK AS DIRECTED ON 11-15-18)**)
2. Status of **Legislative Policy Division** submitting Proposed Ordinance to amend Chapter 14 of the 1984 Detroit City Code, *Community Development*, by adding Article XII, *Publicly-Funded Construction Projects, Division 1, In General, Section 14-12-4, Responsibility and requirements, 14-12-5, Exceptions to Workforce Target, 14-12-6, Compliance, 14-12-7, Application and reporting*, to provide for the health, safety and general welfare of the public by encourage and maximize the utilization of Detroit residents on all City contracts and all projects benefited by City subsidies. **(FOR INTRODUCTION AND SETTING OF A PUBLIC HEARING?) (BROUGHT BACK AS DIRECTED ON 11-15-18)**
3. Status of **Law Department** submitting Report and Proposed Ordinance to amend Chapter 26 of the 1984 Detroit City Code, *Housing*, by adding Article V, *Fair Chance Access to Rental Housing*, consisting of Sections 26-5-1 through 26-5-20, and to provide for the maintenance and protection of the health, safety and general welfare of the public and to provide citizens with criminal records a fair opportunity to secure housing by regulating the use of criminal background checks as part of the tenant screening process, thereby facilitating reintegration into society and reducing the likelihood those citizens will reoffend; to establish that the City undertaking is limited to promotion of the general welfare; to set forth definitions and applicability of the article; t regulate the use and inquiry of criminal convictions by housing providers; to establish standards for adverse action; to set forth exceptions to this housing decisions; to require individualized assessments in certain circumstances; to set forth notice and posting requirements for housing providers; to establish guidelines for maintenance of records by housing providers; to protect the exercise of rights and protect the exercise of rights and prohibit retaliation; to require community outreach; to set forth confidentiality provisions; to establish implementation and enforcement provisions, including penalties for violations; and to

establish administrative rules and annual reporting requirements. **(FOR INTRODUCTION OF AN ORDINANCE AND THE SETTING OF A PUBLIC HEARING?) (BROUGHT BACK AS DIRECTED ON 11-15-18)**

4. Status of Council President Pro Tem Mary Sheffield submitting memorandum relative to City-owned Property in Hantz Woodlands Footprint. **(BROUGHT BACK AS DIRECTED ON 11-15-18)**
5. Status of Council President Pro Tem Mary Sheffield submitting memorandum relative to Inclusionary Housing Update. **(BROUGHT BACK AS DIRECTED ON 11-15-18)**
6. Status of Council President Pro Tem Mary Sheffield submitting memorandum relative to Formation of Housing Trust Fund Advisory Board. **(BROUGHT BACK AS DIRECTED ON 11-15-18)**
7. Status of President Pro Tem Mary Sheffield submitting memorandum relative to Request for Information Regarding Construction Related Workforce Development. **(BROUGHT BACK AS DIRECTED ON 11-15-18)**
8. Status of Council Member Raquel Castaneda-Lopez submitting memorandum relative to Request to Amend 0% Interest Home Loan Program Warranty Requirements. **(BROUGHT BACK AS DIRECTED ON 11-15-18)**
9. Status of Council Member Andre L. Spivey submitting memorandum relative to Proposal to Purchase land adjacent to Heritage at Riverbend Condominium Association. **(BROUGHT BACK AS DIRECTED ON 11-15-18)**
10. Status of Council Member Scott Benson submitting memorandum relative to NEZ Homestead & Rehabilitation Jurisdictions. **(BROUGHT BACK AS DIRECTED ON 11-15-18)**
11. Status of Council Member Scott Benson submitting memorandum relative to Real Estate Development Ordinance. **(REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 11-8-18)**
12. Status of Council Member Scott Benson submitting memorandum relative to Development Incentives Flow of Funds. **(REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 11-8-18)**
13. Status of Council Member Janee Ayers submitting memorandum relative to Hiring Notices Ordinance. **(BROUGHT BACK AS DIRECTED ON 11-8-18)**
14. Status of Law Department submitting response relative to report and proposed ordinance to amend Chapter 14 of the 1984 Detroit City Code, *Community Development*, by adding Article XIII, *Jobs and Economic Development*, and adds Division 2. *Hiring Notices*,

Sections 14-13-21, *Notice of hiring activities required; exceptions.*, 14-13-22, *Minimum content to be included; process for distribution of notice*, and 14-13-23, *Misdemeanor violation; continuing violation; penalties for conviction thereof*, to require developers who receive certain city benefits to distribute notices of any hiring activities within the City of Detroit to the Department of Civil Rights, Inclusion, and Opportunity for further distribution throughout the City of Detroit. **(FOR INTRODUCTION OF AN ORDINANCE AND THE SETTING OF A PUBLIC HEARING?) (BROUGHT BACK AS DIRECTED ON 11-8-18)**

15. Status of **Council Member Scott Benson** submitting memorandum relative to Legal Opinion on CBO (Community Benefits Ordinance) Ordinance Amendments. **(BROUGHT BACK AS DIRECTED ON 11-1-18)**
16. Status of **Law Department** submitting letter relative to Fifth General Text Amendment to Zoning Ordinance. **(BROUGHT BACK AS DIRECTED ON 10-4-18)**
17. Status of **Housing and Revitalization Department** submitting reso. autho. Establishment of a Neighborhood Enterprise Zone as requested by AK Owner, LLC in the area of 7430 Second Avenue, Detroit, MI, in accordance with Public Act 147 of 1992. **(Petition #493) (PUBLIC HEARING HELD ON 10-25-18 BROUGHT BACK AS DIRECTED ON 10-25-18)**
18. Status of Sign Ordinance Amendments from the Sign Ordinance Working Group **(BROUGHT BACK AS DIRECTED ON 9-27-18)**

NEW BUSINESS

OFFICE OF CONTRACTING AND PROCUREMENT

Submitting the following **Office of Contracting and Procurement Contracts:**

19. Submitting reso. autho **Contract No. 2911480** - 100% Federal Funding – AMEND 1 – To Provide Construction Management Services for 0% Interest Home repair Loan Program. – Contractor: GS Group, LLC – Location: 17800 Woodward, Ste. 200, Detroit, MI 48203 – Contract Period: July 1, 2017 through October 31, 2018 – Contract Increase: Time Only, No Increase – Total Contract Amount: \$0.00. **PLANNING AND DEVELOPMENT (*This Amendment is for an Increase of Time Only, Original Contract for \$1, 050,000.00 from 2015 to June 30, 2017. Contract had a 1 year Renewal Option.*) (REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)**
20. Submitting reso. autho. ***amended* Contract No. 6001792** - 100% Revenue Only – To rent property Located at 8500 and 8520 Fenkell. – Contractor: Progressive Community Design Inc, NFP – Location: 15516 Marlow, Detroit, MI 48227 – Contract Period: December 18, 2018 through December 17, 2019 – Total Contract Amount: Revenue Only. **OCFO-FINANCIAL PLANNING AND ANALYSIS (REFERRED TO THE PLANNING**

AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)

MAYOR'S OFFICE

21. Submitting report relative to Moratorium on Applications for permits and/or licenses for new or expanded junkyards, scrap tire processing and recycling facilities, scrap tire storage facilities, major and minor motor vehicle repair, and used car sales lots. **(The City has determined that an examination of the applicable provisions in the City Code, Detroit Zoning Ordinance and the Detroit Master Plan of Policies is required to evaluate the current regulatory scheme pertaining to junkyards, scrap tire processing and recycling facilities, scrap tire storage facilities, major or minor vehicle repair, and used car sales lots. The review will identify appropriate measures and potential new regulations to limit overconcentration, increase compliance with property maintenance, zoning, and licensing standards, decrease crime, and curtail illegal business operations.) (REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)**
22. Submitting reso. autho. To establish a Non-Profit Corporation – Bridging Neighborhoods Program. **(We are requesting this Honorable Body approve the establishment of a non-profit corporation for the Bridging Neighborhoods Program (BNP) in accordance with the authority provided by Section 117.40 of the Home Rule Cities Act. The BNP was created to implement and administer the Home Swap and I-75 Environmental Mitigation Community Benefits Programs (the “Programs”). The Programs allow Delray, and Southwest Detroit/I-75 Mitigation residents the opportunity to mitigate environmental concerns, renovate their homes or swap their homes for Detroit Land Bank Homes within the City of Detroit. The Programs are supported by a \$45 million community benefits package established to assist with various environmental and economic issues such as jobs, health monitoring, home improvements, and relocation services.) (REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)**

LAW DEPARTMENT

23. Submitting Proposed Ordinance to amend Chapter 26 of the 1984 Detroit City Code, *Housing*, by adding Article V, *Fair Chance Access to Rental Housing*, consisting of Sections 26-5-1 through 26-5-20, to provide for the maintenance and protection of the health, safety and general welfare of the public and to provide citizens with criminal records a fair opportunity to secure housing by regulating the use of criminal background checks as part of the tenant screening process, thereby facilitating re-integration into society and reducing the likelihood those citizens will reoffend; to establish that the City undertaking is limited to promotion of the general welfare; to set forth definitions and applicability of the article; to regulate the use of and inquiry of criminal convictions by housing providers; to establish standards for adverse action; to set forth exceptions to this article; to establish procedures for the use of evidence of rehabilitation or other mitigating factors in housing decisions; to require individualized assessments in certain circumstances; to set forth notice and posting requirements for housing providers; to establish guidelines for maintenance of records by housing providers; to protect the exercise of rights and prohibit retaliation; to require community outreach; to set forth confidentiality provisions; to establish implementation and enforcement provisions,

including penalties for violations; and to establish administrative rules and annual reporting requirements. **(FOR INTRODUCTION OF AN ORDINANCE AND THE SETTING OF A PUBLIC HEARING?) (REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)**

DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY

24. Submitting reso. autho. Terminating the Brownfield Plan of the Detroit Brownfield Redevelopment Authority for the Jefferson North Park Redevelopment Project. **(At the regularly scheduled October 24, 2018 Detroit Brownfield Redevelopment Authority (DBRA) Board of Directors meeting, DBRA staff recommended termination of the Plan on the basis that the project described in the Plan has failed to occur at least two (2) years following the date of the resolution approving the brownfield plan or plan amendment in accordance with Section 14(8)(b) of Act 381. The DBRA subsequently adopted a resolution (Exhibit B) approving the termination of the Plan and authorizing the submission of a copy of its resolution to request that City Council adopt a resolution terminating the Plan.) (REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)**
25. Submitting reso. autho. Terminating the Brownfield Plan of the Detroit Brownfield Redevelopment Authority for the Tireman and Epworth Brownfield Redevelopment Project. **(At the regularly scheduled August 22, 2018 Detroit Brownfield Redevelopment Authority (DBRA) Board of Directors meeting, DBRA staff recommended termination of the Plan on the basis that no eligible costs for the project have been submitted with respect to the eligible property for at least two (2) years following the date of the resolution approving the brownfield plan or plan amendment in accordance with Section 14(8)(b) of Act 381. The DBRA subsequently adopted a resolution (Exhibit B) approving the termination of the Plan and authorizing the submission of a copy of its resolution to request that City Council adopt a resolution terminating the Plan.) (REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)**

HISTORIC DESIGNATION ADVISORY BOARD

26. Submitting reso. autho. Interim designation of 550 West Fort Street, the former *Detroit Saturday Night* news building as a local historic district and the appointment of ad hoc representatives in connection to this matter **(Petition #598). (REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)**

HOUSING AND REVITALIZATION DEPARTMENT

27. Submitting reso. autho. Partial Revocation of Obsolete Property Rehabilitation Exemption Certificate No. 3-09-0002, on behalf of Fort Shelby Hotel, LLC, in accordance with Public Act 146 of 2000 (Related to Petition #557). **(On October 23, 2018, Fort Shelby Hotel, LLC, submitted a request for the partial revocation of Obsolete Property Rehabilitation Exemption Certificate 3-09-0002 (amended) in order to remove Unite 2 from the property located at 525 West Lafayette, Unit 1 and 2, Detroit, MI. The condominium plan was amended to subdivide Unit 2 into fifty-six residential unites on floors 11 to 22 and the originally constructed apartments are being converted into for-**

sale condominiums.) (REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)

28. Submitting reso. autho. HUD Section 108 Loan Guarantee Assistance Program Request to refinance Six (6) Existing Notes. **(The Housing and Revitalization Department (“HRD”) coordinates several loans the City of Detroit (“CITY”) has taken out in prior years with the United States Department of Housing and Urban Development (“HUD”) under the HUD Section 108 Loan Guarantee Assistance Program (“Section 108 Program”). The City repays the principal and interest owed to HUD pursuant to the Notes from the annual allocation of Community Development Block Grant (“CDBG”) funds received by the City. The proposed refinancing of the Notes would decrease loan repayment terms by approximately 2 percentage points that will save the City roughly \$2,000,000.00 in CDBG funds over the remaining term of the original Notes. Such CDBG savings can then be utilized by the City for other purposes.) (REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)**

LEGISLATIVE POLICY DIVISION

29. Submitting report relative to Development Incentives Flow of Funds. **(In the Planning and Development Standing Committee, Council Member Scott Benson requested that the Legislative Policy Division (LPD) work jointly with the Detroit Economic Growth Corporation (DEGC) to produce a report on the financial impact tax abatements in general have on both the Detroit Public Schools (DPS) “old” and the Detroit Public Community School District (DPCSD) “new.”) (REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)**
30. Submitting report relative to Summary of the Detroit Land Bank Authority First Quarter FY 2019. **(The Detroit Land Bank Authority (DLBA) submits a quarterly report to the City Council which provides an overview of the activity of the entity. The report primarily breaks down the various divisions of the DLBA which include the Finance Department, Inventory Department, Disposition Department, Demolition Department, Legal Department and Community Affairs Department. LPD is providing a summary which attempts to reflect the most pertinent issues or new information that is derived from within the quarterly report.) (REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)**

PLANNING AND DEVELOPMENT DEPARTMENT

31. Submitting reso. autho. Sale of Real Property at 12502 Kelly. **(The City of Detroit Planning and Development Department (“P&DD”) is in receipt of an offer from Aleathea Jenkins (“Offeror”) to purchase the above captioned property, 12502 Kelly, (the “Property”), for the amount of Five Thousand and 00/100 Dollars (\$5,000.00)(the “Purchase Price”). (REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)**
32. Submitting reso. autho. *Corrected* Sale of Real Property at 2916 Hammond. **(The City of Detroit Planning and Development Department (“P&DD”) is in receipt of an offer**

from Titan Developments, LLC a Michigan Domestic Limited Liability Company to purchase the above captioned property, 2196 Hammond, (the “Property”), for the amount of Twenty Five Thousand Eight Hundred Fifty and 00/100 Dollars (\$25,850.00)(the “Purchase Price”) (REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)

- 33. Submitting reso. autho. Declaration of Surplus and Transfer of Jurisdiction Lodge Playfield (a/k/a 8901 Van Dyke). (The Detroit Parks and Recreation Department has indicated to the Planning and Development Department (P&DD) that the above captioned property, 8901 Van Dyke, is no longer appropriate to their needs. The Recreation Department has requested that P&DD assume jurisdictional control over the property, so that it may be marketed for sale and development.) (REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)**
- 34. Submitting reso. autho. Sale of Real Property at 16101 E. Warren. (The City of Detroit Planning and Development Department “(P&DD)” has received an offer from X-ITCARE LLC, a Michigan Limited Liability Company (“Offeror”) requesting the conveyance by the City of Detroit of real property having a street address of 16101 E. Warren, Detroit, MI 48224 (the “Property”). The Property consists of a commercial building located on an area of land measuring approximately 2400 square feet and zoned B4 (General Business District). P&DD entered into a Purchase Agreement dated September 27, 2018 with the Offeror. Under the terms of the Purchase Agreement, the Property would be conveyed to the Offeror by Quit Claim Deed (the “Deed”) for Thirteen Thousand and 00/100 Dollars (\$13,000.00) (the “Purchase Price”). The Offeror proposes to renovate the structure for operation as a healthcare office. This use is permitted by right in a B4 zone.) (REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)**
- 35. Submitting reso. autho. Sale of Real Property at 15500 Woodrow Wilson. (The City of Detroit Planning and Development Department “(P&DD)” is in receipt of an offer from Angels Brotherhood Charity Organization – (ABCO), Inc., a Michigan Non-Profit Corporation to purchase the above captioned property, 15500 Woodrow Wilson, (the “Property”), for the amount of Eight Thousand Eight Hundred Fifty and 00/100 Dollars (\$8,850.00)(the “Purchase Price”)) (REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)**
- 36. Submitting reso. autho. Surplus Property for Sale at 12830 Appoline. (The City of Detroit Planning and Development Department is in receipt of an offer from Lyonell Allen, the adjoining property owner, to purchase 12830 Appoline for the amount of \$1200.00. The property consists of vacant land measuring approximately 4015 square feet and zoned R-3 (Low Density Residential). The Offeror proposes to fence the property and create greenspace, removing the blight within the neighborhood and enhancing the appearance of their residence at 12787 Meyers. This use is permitted by right in a R-3 zone.) (REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)**

MISCELLANEOUS

37. **Council Member Gabe Leland** submitting memorandum relative to Creditor-Owned Property. **(REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)**
38. **Council Member Janee' Ayers** submitting memorandum relative to Request for a Zoning Overlay Map of Post Release Restrictions on Housing. **(REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)**
39. **Council Member Raquel Castaneda-Lopez** submitting correspondence relative to request for the Board of Zoning Appeals to reconsider their vote on a sign variance for advertising on the Broderick Tower. **(REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)**
40. **Council President Brenda Jones** submitting correspondence relative to CKM Community Development Corporation BSEED Case #116-17, 13042 Van Dyke. **(REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)**
41. **Council President Pro-Tem Mary Sheffield** submitting memorandum relative to Request for LPD to Draft an Amendment to the Inclusionary Housing Ordinance to Include Tax Abatements as a Trigger for the Affordable Housing Requirements. **(REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE ON 1-10-19)**